

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL WALLS,

Plaintiff,

Case No. 12-cv-11874

v.

HONORABLE STEPHEN J. MURPHY, III

LYNETTE O'CONNOR, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION
(document no. 35) AND DISMISSING CASE FOR FAILURE TO PROSECUTE

This is a prisoner civil rights action. Plaintiff Daniel Walls, a former inmate of the Parnell Correctional Facility, alleges that he was denied adequate medical care there. The Court referred the matter to a U.S. Magistrate Judge. On December 2, 2013, the magistrate judge issued a Report and Recommendation ("Report") suggesting that the Court dismiss the case for failure to prosecute. The Report noted that after a long record of Walls' failure to cooperate with the opposing parties, the magistrate judge ordered Walls to respond to Defendants' motion to dismiss. Order Requiring Resp., ECF No. 34. Walls did not respond to the order, and the Report accordingly suggested dismissing the case for failure to prosecute. Report 2-3, ECF No. 35 (citing Fed. R. Civ. P. 41(b); *Tetro v. Elliott Popham Pontiac, Oldsmobile, Buick, and GMC Trucks, Inc.*, 173 F.3d 988, 991 (6th Cir. 1999)). Walls did not respond or object to the Report.

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is only required if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither party filed objections to the Report, de novo review of the

Report's conclusions is not required. Having reviewed the Report's analysis, in light of the record, the Court finds that its conclusions are factually based and legally sound. Accordingly, it will adopt the Report and dismiss the case.

ORDER

WHEREFORE, it is hereby **ORDERED** that the Report and Recommendation (document no. 35) is **ADOPTED**. This case is **DISMISSED WITH PREJUDICE**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: December 27, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 27, 2013, by electronic and/or ordinary mail.

Carol Cohron
Case Manager